



Practitioner's Docket No. 57155-CIP2 (BC) (70207)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David M. KNIPE, Robert FINBERG and George SIBER

Serial No.: 08/278,601

Filed: July 21, 1994

Examiner: MOSHER, Mary

For: HERPESVIRUS REPLICATION DEFECTIVE MUTANTS

Commissioner of Patents
and Trademarks
Washington, DC 20231

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Amend E

CERTIFICATE OF MAILING

I hereby certify that this correspondence is, on the date shown below, being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Assistant Commissioner of Patents and Trademarks, Washington, D. C. 20231

Dated: November 1, 2002


Judith A. Herrick

Sir:

AMENDMENT AFTER INTERFERENCE PROCEEDING

Please amend the above-identified application as follows.

IN THE CLAIMS:

Please cancel claims 9, 25-27, 29, 32-34, 37-39, and 42-49 without prejudice.

Please amend claim 31 as follows:

Claim 31 (AMENDED) A vaccine in a pharmaceutically accepted carrier comprising:
a mutated herpesvirus capable of infecting a mammalian cell and of eliciting a protective immune response in a mammal vaccinated with said herpesvirus; wherein, said herpes virus being characterized by a mutation in at least one gene encoding a protein essential for viral genome replication of said herpesvirus; and, rendering said virus replication defective; and,

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Sub. 31